

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

ALOFT MEDIA, LLC,

Plaintiff,

v.

COMPUWARE CORP., et al.,

Defendants.

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Civil Action No. 6:10-CV-256-LED

JURY TRIAL DEMANDED

NOTICE OF READINESS FOR SCHEDULING CONFERENCE

Pursuant to the Court's Order dated July 27, 2010 (Dkt. No. 50), Plaintiff Aloft Media, LLC ("Aloft") files this notice that the case is ready for scheduling conference. All remaining Defendants have answered Aloft's Original Complaint for Patent Infringement (Dkt. No. 1). The following motions to dismiss are currently pending:

1. Joint Motion to Dismiss Defendant SAS Institute Inc. With Prejudice under Fed. R. Civ. P. 41(a)(2) (Dkt. No. 158), filed November 4, 2010, by Aloft and SAS Institute Inc.; and
2. Joint Motion to Dismiss Defendant Xerox Corporation Without Prejudice under Fed. R. Civ. P. 41(a)(2) (Dkt. No. 159), filed November 4, 2010, by Aloft and Xerox Corporation.

No motions to transfer have been filed.

The patents in suit in the present action are U.S. Patent Nos. 7,593,910 (the "'910 patent") and 7,596,538 (the "'538 patent"). In addition to the instant case, the '910 patent is currently being asserted in *Aloft Media, LLC v. Oracle Corp., et al.*, Civil Action No. 6:09-CV-

304-LED (E.D. Tex.), which is set for *Markman* hearing on January 13, 2011, and for trial on December 12, 2011. The '538 patent has not previously been asserted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric M. Albritton", written over a horizontal line.

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 15th day of November 2010.

A handwritten signature in black ink, appearing to read "Eric M. Albritton", written over a horizontal line.

Eric M. Albritton